

Adult Use of Marijuana

BALLOT TITLE: [Must be 15 words or less- Fl. Admin. C. R 1s-2.009(2)(b)2f; currently 4 words]
ADULT USE OF MARIJUANA

BALLOT SUMMARY: [Must be 75 words or less- Fl. Admin. C. R 1s-2.009(2)(b)2g; currently 75 words]

Permits adults 21 years or older to possess, use, purchase, display, and transport up to 2.5 ounces of marijuana and marijuana accessories for personal use for any reason. Permits Medical Marijuana Treatment Centers to sell, distribute, or dispense marijuana and marijuana accessories if clearly labeled and in childproof packaging to adults. Prohibits advertising or marketing marijuana and marijuana accessories targeted to persons under the age of 21. Prohibits personal marijuana use in defined public places.

ARTICLE AND SECTION BEING CREATED/AMENDED:

Creating Article X, Section 33, Florida Constitution

FULL TEXT OF THE PROPOSED CONSTITUTIONAL AMENDMENT:

Section 1. A new section in Article X is created to read:

Section 33. Adult Use of Marijuana.

(a) Definitions. As pertaining to this section

(1) “Adult” means a person 21 years of age or older.

(2) “Department” means the Florida Department of Health or its successor agency.

(3) “Marijuana” shall have the same meaning as defined in Article X, Section 29.

(4) “Marijuana accessories” means any equipment, products, or materials of any kind which are for ingesting, inhaling, topically applying, or otherwise introducing marijuana into the human body.

(5) “Medical Marijuana Treatment Center” shall have the same meaning as defined in Article X, Section 29, except a licensed Medical Marijuana Treatment Center is permitted to sell, distribute, or dispense marijuana to a person 21 years of age or older for personal use for any reason in compliance with this section.

(6) “Public place” means any public street, sidewalk, park, beach, or other public commons.

(b) Public policy.

(1) An adult is permitted to possess, use, display, purchase, or transport marijuana or marijuana accessories for personal use for any reason in compliance with this section and Department regulations and is not subject to criminal or civil liability or sanctions under Florida law.

(2) A Medical Marijuana Treatment Center is permitted to sell, distribute, or dispense marijuana or marijuana accessories to an adult for personal use for any reason in compliance with this section and Department regulations and is not subject to criminal or civil liability or sanctions under Florida law.

(c) Restrictions.

(1) An adult may possess, display, purchase, or transport up to two and a half ounces of marijuana for personal use for any reason.

(2) A Medical Marijuana Treatment Center that sells, distributes, or dispenses marijuana or marijuana accessories to an adult shall ensure any marijuana or marijuana accessories are clearly labeled and in childproof packaging.

(3) Marijuana or marijuana accessories shall not be advertised or marketed to target persons under the age of 21.

(4) Marijuana authorized by this section may not be used in any public place.

(d) Authority

(1) The Department shall issue reasonable regulations necessary for the implementation and enforcement of this section.

(2) Nothing in this section shall limit the legislature from enacting laws consistent with this section.

(e) Severability. The provisions of this section are severable and if any clause, sentence, paragraph, or section of this measure, or an application thereof, is adjudged invalid by a court of competent jurisdiction, other provisions shall continue to be in effect to the fullest extent possible.